HOUSE JOURNAL

FIFTH DAY

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MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representatives David Zolman and Lowell Nelson, excused.

Pledge of Allegiance and prayer by Representative Neil A. Hansen.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

January 22, 1999

The Senate passed **S.B. 15**, ELECTRIC RESTRUCTURING STUDY, by Senator L. Jones, and it is transmitted for consideration; and

The Senate passed **S.B. 65**, IMPACT FEE ARBITRATION, by Senator L. Poulton, and it is transmitted for consideration; and

The Senate passed **S.B. 67**, INSPECTIONS OF PUBLIC SCHOOL BUILDINGS, by Senator R. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 68**, SCHOOL BOARD OVERSIGHT OF SCHOOL INSPECTIONS, by Senator R. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 70**, COMPUTERS FOR PUBLIC SCHOOLS AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 71**, OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE, by Senator L. Mansell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 78**, SPECIAL DISTRICT BOARD TRAINING, by Senator R. Evans, and it is transmitted for consideration; and

The Senate passed **S.J.R. 1**, CHILD CARE COMMISSION RESOLUTION, by Senator L. Blackham, and it is transmitted for consideration.

Annette B. Moore Secretary of the Senate

Communications filed. **S.B. 15, S.B. 65, S.B. 67, S.B. 68, S.B. 70, S.B. 71, S.B. 78**, and **S.J.R. 1**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

January 21, 1999

Day 5

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 10**, YOUTH DRIVER PROVISIONS, by Representative D. Bush, with the following amendments:

- 1. Page 2, Line 32:
 After "own" insert "church or"
- 2. Page 2, Line 32:
 After "residence;" delete "or"
- 3. Page 2, Line 34:
 After "operation" insert "; or (e) in an emergency"; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 27**, UTAH MISSING PERSON CLEARINGHOUSE, by Representative G. Cox, with the following amendments:

- 1. Page 1, Line 5: After "\$50,000" insert "FOR FISCAL YEAR 1999–2000"
- 2. Page 1, Line 12:
 After "\$50,000," insert "for fiscal year 1999–2000,"; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 199**, ENFORCEMENT AUTHORITY FOR DRUG LAB AND PRECURSOR ACTS, by Representative A. Tyler.

Demar "Bud" Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 10, as amended, **H.B. 27**, as amended, and **H.B. 199**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker:

January 21, 1999

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 196**, REGULATION ON HUNTING COUGAR OR BEAR, by Representative M. Styler, with the following amendments:

1. Page 1, Line 7:

After "BEAR;" insert "AND MAKING TECHNICAL AMENDMENTS;"

2. Page 1, Line 10:

After line 10 insert:

"23-13-2, as last amended by Chapter 265, Laws of Utah 1996"

3. Page 1, Line 14:

After line 14 insert:

"ENACTS:

23-19-22.5, Utah Code Annotated 1953"

4. Page 1, Line 15:

After line 15 insert:

"Section 1. Section 23-13-2 is amended to read:

23-13-2 Definitions. As used in this title:

- (1) "Activity regulated under this title" means any act, attempted act, or activity prohibited or regulated under any provision of Title 23 or the rules, and proclamations promulgated thereunder pertaining to protected wildlife including:
- (a) fishing;
- (b) hunting;
- (c) trapping;
- (d) taking;
- (e) permitting any dog, falcon, or other domesticated animal to take;
- (f) transporting;
- (g) possessing;
- (h) selling;
- (i) wasting;
- (j) importing;
- (k) exporting;
- (l) rearing;
- (m) keeping;

- (n) utilizing as a commercial venture; and
- (o) releasing to the wild.
- (2) "Aquatic animal" has the meaning provided in Section 4-37-103.
- (3) "Aquatic wildlife" means species of fish, mollusks, crustaceans, aquatic insects, or amphibians.
- (4) "Aquaculture facility" has the meaning provided in Section 4–37–103.
- (5) "Bag limit" means the maximum limit, in number or amount, of protected wildlife that one person may legally take during one day.
- (6) "Big game" means species of hoofed protected wildlife.
- (7) "Carcass" means the dead body of an animal or its parts.
- (8) "Certificate of registration" means a document issued under this title, or any rule or proclamation of the Wildlife Board granting authority to engage in activities not covered by a license, permit, or tag.
- (9) "Closed season" means the period of time during which the taking of protected wildlife is prohibited.
- (10) "Conservation officer" means a full–time, permanent employee of the Division of Wildlife Resources who is POST certified as a peace or a special function officer.
- (11) "Division" means the Division of Wildlife Resources.
- (12) (a) "Domicile" means the place:
- (i) where an individual has a fixed permanent home and principal establishment;
- (ii) to which the individual if absent, intends to return; and
- (iii) in which the individual and the individual's family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home.
- (b) To create a new domicile an individual must:
- (i) abandon the old domicile; and

- (ii) be able to prove that a new domicile has been established.
- (13) "Endangered" means wildlife designated as such pursuant to Section 3 of the federal Endangered Species Act of 1973.
- (14) "Fee fishing facility" has the meaning provided in Section 4–37–103.
- (15) "Feral" means an animal which is normally domesticated but has reverted to the wild.
- (16) "Fishing" means to take fish or crayfish by any means.
- (17) "Furbearer" means species of the Bassariscidae, Canidae, Felidae, Mustelidae, and Castoridae families, except coyote and cougar.
- (18) "Game" means wildlife normally pursued, caught, or taken by sporting means for human use.
- (19) (a) "Guide" means a person who receives compensation or advertises services for assisting another person to take protected wildlife.
- (b) Assistance under Subsection (a) includes the provision of food, shelter, or transportation, or any combination of these.
- (20) "Guide's agent" means a person who is employed by a guide to assist another person to take protected wildlife.
- (21) "Hunting" means to take or pursue a reptile, amphibian, bird, or mammal by any means.
- (22) "Intimidate or harass" means to physically interfere with or impede, hinder, or diminish the efforts of an officer in the performance of the officer's duty.
- [(23) "License" means the primary document granting authority to engage in activities under:]
- [(a) this title; or]
- [(b) a rule or proclamation of the Wildlife Board.]
- [(24)] (23) "Nonresident" means a person who does not qualify as a resident.
- [(25)] (24) "Open season" means the period of time during which protected wildlife may be legally taken.

- [(26)] "(25) "Pecuniary gain" means the acquisition of money or something of monetary value.
- [(27)] (26) Permit" means a [secondary] document, including a stamp, which[: (a) requires a license as a prerequisite to its issuance; and (b)] grants authority to engage in specified activities under this title or a rule or proclamation of the Wildlife Board.
- [(28)] (27) "Person" means an individual, association, partnership, government agency, corporation, or an agent of the foregoing.
- [(29)] (28) "Possession" means actual or constructive possession.
- [(30)] (29) "Possession limit" means the number of bag limits one individual may legally possess.
- [(31)] (30) (a) "Private fish installation" means a body of water where privately owned, protected aquatic wildlife are propagated or kept.
- (b) "Private fish installation" does not include any aquaculture facility or fee fishing facility.
- [(32)] (31) "Private wildlife farm" means an enclosed place where privately owned birds or furbearers are propagated or kept and which restricts the birds or furbearers from:
- (a) commingling with wild birds or furbearers; and
- (b) escaping into the wild.
- [(33)] (32) "Proclamation" means the publication used to convey a statute, rule, policy, or pertinent information as it relates to wildlife.
- [(34)] (33) (a) "Protected aquatic wildlife" means aquatic wildlife as defined in Subsection (3), except as provided in Subsection (b).
- (b) "Protected aquatic wildlife" does not include aquatic insects.
- [(35)] <u>(34)</u> (a) "Protected wildlife" means wildlife as defined in Subsection (49), except as provided in Subsection (b).
- (b) "Protected wildlife" does not include coyote, field mouse, gopher, ground squirrel, jack rabbit, muskrat, and raccoon.
- [(36)] (35) "Released to the wild" means to turn loose from confinement.

[(37)] (36) (a) "Resident" means a person who:

- (i) has been domiciled in the state of Utah for six consecutive months immediately preceding the purchase of a license; and
- (ii) does not claim residency for hunting, fishing, or trapping in any other state or country.
- (b) A Utah resident retains Utah residency if that person leaves this state:
- (i) to serve in the armed forces of the United States or for religious or educational purposes; and
- (ii) complies with Subsection (a)(ii).
- (c) (i) A member of the armed forces of the United States and dependents are residents for the purposes of this chapter as of the date the member reports for duty under assigned orders in the state if the member:
- (A) is not on temporary duty in this state; and
- (B) complies with Subsection (a)(ii).
- (ii) A copy of the assignment orders must be presented to a wildlife division office to verify the member's qualification as a resident.
- (d) A nonresident attending an institution of higher learning in this state as a full–time student may qualify as a resident for purposes of this chapter if the student:
- (i) has been present in this state for 60 consecutive days immediately preceding the purchase of the license; and
- (ii) complies with Subsection (a)(ii).
- (e) A Utah resident license is invalid if a resident license for hunting, fishing, or trapping is purchased in any other state or country.
- (f) An absentee landowner paying property tax on land in Utah does not qualify as a resident.
- [(38)] (<u>37)</u> "Sell" means to offer or possess for sale, barter, exchange, or trade, or the act of selling, bartering, exchanging, or trading.
- [(39)] <u>(38)</u> "Small game" means species of protected wildlife:

- (a) commonly pursued for sporting purposes; and
- (b) not classified as big game, aquatic wildlife, or furbearers <u>and excluding cougar and bear</u>.
- [(40)] (39) "Spoiled" means impairment of the flesh of wildlife which renders it unfit for human consumption.
- [(41)] (40) "Spotlighting" means throwing or casting the rays of any spotlight, headlight, or other artificial light on any highway or in any field, woodland, or forest while having in possession a weapon by which protected wildlife may be killed.
- [(42)] (41) "Tag" means a card, label, or other identification device issued for attachment to the carcass of protected wildlife.
- [(43)] <u>(42)</u> "Take" means to:
- (a) hunt, pursue, harass, catch, capture, possess, angle, seine, trap, or kill any protected wildlife; or
- (b) attempt any action referred to in Subsection (a).
- [44] (43) "Threatened" means wildlife designated as such pursuant to Section 3 of the federal Endangered Species Act of 1973.
- [(45)] (44) "Trapping" means taking protected wildlife with a trapping device.
- [(46)] (45) "Trophy animal" means an animal described as follows:
- (a) deer any buck with an outside antler measurement of 24 inches or greater;
- (b) elk any bull with six points on at least one side;
- (c) bighorn, desert, or rocky mountain sheep any ram with a curl exceeding half curl;
- (d) moose any bull;
- (e) mountain goat any male or female;
- (f) pronghorn antelope any buck with horns exceeding 14 inches; or

- (g) bison any bull.
- [(47)] (46) "Waste" means to abandon protected wildlife or to allow protected wildlife to spoil or to be used in a manner not normally associated with its beneficial use.
- [(48)] (47) "Water pollution" means the introduction of matter or thermal energy to waters within this state which:
- (a) exceeds state water quality standards; or
- (b) could be harmful to protected wildlife.

[(49)] (48) "Wildlife" means:

- (a) crustaceans, including brine shrimp and crayfish;
- (b) mollusks; and
- (c) vertebrate animals living in nature, except feral animals."
- 5. Page 2, Line 30: After line 30 insert:

"Section 2. Section 23–19–22.5 is enacted to read: 23–19–22.5. Cougar or bear hunting permit.

(1) A person 12 years of age or older, upon paying the fee prescribed by the Wildlife Board, may receive a permit to hunt cougar or bear as provided by rules of the Wildlife Board.

(2) One dollar of each cougar or bear permit fee collected from a resident shall be used for the hunter education program."

Renumber remaining sections accordingly; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 207**, RIVERWAY ENHANCEMENT ADVISORY COUNCIL APPOINTMENTS, by Representative J. Tanner; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 198**, APPROPRIATION FOR CENTENNIAL TRAILS PROGRAM, by Representative A. Tyler; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 212**, FUNDING DEPARTMENT OF

NATURAL RESOURCES PRIVATE PROPERTY OMBUDSMAN, by Representative E. Olsen; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 38**, AUTHORITY TO CLOSE AREAS WITHIN STATE PARKS, by Representative M. Styler.

Bradley T. Johnson, Chair

Reports filed. On motion of Representative Johnson, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

H.B. 196, as amended, **H.B. 207**, **H.B. 198**, **H.B. 212**, and **H.B. 38**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker:

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January 21, 1999

The Transportation Committee reports a favorable recommendation on **H.B. 35**, OFF HIGHWAY VEHICLE PROGRAM FUNDING, by Representative K. Garn; and

The Transportation Committee reports a favorable recommendation on **H.B. 171**, STATE TRAFFIC AND PEDESTRIAN SAFETY COORDINATING COUNCIL, by Representative W. Harper; and

The Transportation Committee reports a favorable recommendation on **H.B. 201**, MOTOR VEHICLE DEALER FILINGS, by Representative W. Harper; and

The Transportation Committee recommends **H.B. 202**, USE OF OLYMPIC LICENSE PLATES, by Representative J. Tanner, be replaced and favorably recommends **1st Sub. H.B. 202**, USE OF OLYMPIC LICENSE PLATES.

Don E. Bush, Chair

Reports filed. On motion of Representative Bush, the reports of the Transportation committee were adopted.

H.B. 35, H.B. 171, H.B. 201, and **Sub. H.B. 202**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker:

January 21, 1999

The Government Operations Committee reports a favorable recommendation on **H.B. 191**, UTAH DIVISION OF INDIAN AFFAIRS AMENDMENTS, by Representative K. Johnson; and

The Government Operations Committee reports a favorable recommendation on **H.B. 203**, OPERATION AND MAINTENANCE COSTS SET ASIDE FOR STATE BUILDINGS, by Representative G. Adair; and

The Government Operations Committee reports a favorable recommendation on **H.B. 229**, STATE OLYMPIC COORDINATION AMENDMENTS, by Representative J. Tanner, with the following amendments:

1. Page 2, Line 34–36:

Delete lines 34–36 and insert "shall include a statement that based on information available to the governor at the time of the governor's review, the financial plan:

"(i) includes financially sound revenue projections that are estimated to be adequate to cover anticipated expenditures under the financial plan;"

- 2. Page 3, Line 63:
 Delete "findings" and insert "statements"
- 3. Page 6, Line 180: Delete "five" and insert "four"; and

The Government Operations Committee reports a favorable recommendation on **H.J.R. 4**, RESOLUTION CHANGING STATE ELECTION CYCLE, by Representative D. Zolman.

Jordan Tanner, Chair

Reports filed. On motion of Representative Tanner, the reports of the Government Operations committee were adopted.

H.B. 191, H.B. 203, H.B. 229, as amended, and **H.J.R. 4**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker:

January 21, 1999

The Political Subdivisions Committee recommends **H.B. 185**, DUTIES OF COUNTY ASSESSOR AND TREASURER, by Representative B. Chard, be replaced and favorably recommends **1st Sub. H.B. 185**, DUTIES OF COUNTY ASSESSOR AND TREASURER; and

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The Political Subdivisions Committee reports a favorable recommendation on **H.B. 239**, DELINQUENT FIRE PROTECTION DISTRICT FEES, by Representative D. Iverson.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Political Subdivisions committee were adopted.

Sub. H.B. 185 and **H.B. 239**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker:

January 21, 1999

The Business, Labor, and Economic Development Committee recommends **H.B. 214**, WAGE CLAIM AMENDMENTS, by Representative G. Adair, be replaced and favorably recommends **1st Sub. H.B. 214**, WAGE CLAIM AMENDMENTS.

J. W. Bill Hickman, Chair

Report filed. On motion of Representative Hickman, the report of the Business, Labor, and Economic Development committee was adopted.

Sub. H.B. 214, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

HOSPITAL BILLING PROCEDURES

H.B. 84

Margaret Dayton

AN ACT RELATING TO HEALTH; REQUIRING A HOSPITAL TO INCLUDE ON AN ITEMIZED BILLING STATEMENT ANY AMOUNT CHARGED TO THE PATIENT TO PAY FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM ASSESSMENT, read the first time by short title and referred to the Rules Committee.

COMPULSORY EDUCATION/TRUANCY AMENDMENTS

H.B. 85

Duane E. Bourdeaux

AN ACT RELATING TO THE STATE SYSTEM OF PUBLIC EDUCATION; CLARIFYING THE COMPULSORY EDUCATION

REQUIREMENTS; AND MAKING TECHNICAL CORRECTIONS, read the first time by short title and referred to the Rules Committee.

CHECK ABUSE AMENDMENTS

H.B. 86

John E. Swallow

AN ACT RELATING TO COLLECTING ON DISHONORED INSTRUMENTS: AMENDING PROVISIONS RELATED TO DISHONORED CHECKS OR OTHER INSTRUMENTS; AND MAKING TECHNICAL CORRECTIONS, read the first time by short title and referred to the Rules Committee.

VINTAGE VEHICLES

H.B. 87

Greg J. Curtis

AN ACT RELATING TO MOTOR VEHICLES; AMENDING THE DEFINITION OF VINTAGE VEHICLES, read the first time by short title and referred to the Rules Committee.

SECURED TRANSACTION - SALES OF ACCOUNTS, CONTRACT RIGHTS. AND CHATTEL PAPER

H.B. 247

Blake D. Chard

AN ACT RELATING TO UNIFORM COMMERCIAL CODE; AMENDING THE FORMAL REQUIREMENTS OF FINANCING STATEMENTS; AND MAKING TECHNICAL CORRECTIONS, read the first time by short title and referred to the Rules Committee.

TRANSPARENT MATERIALS ON MOTOR VEHICLE WINDSHIELDS

H.B. 248

Katherine M. Bryson

AN ACT RELATING TO MOTOR VEHICLES: PROVIDING THAT NONTRANSPARENT MATERIALS MAY BE APPLIED TO THE LOWER LEFT-HAND CORNER OF A MOTOR VEHICLE'S WINDSHIELD WITHIN CERTAIN PRESCRIBED SPECIFICATIONS, read the first time by short title and referred to the Rules Committee.

COLLECTION AGENCY AMENDMENTS

H.B. 250

Ben C. Ferry

AN ACT RELATING TO COLLECTION AGENCIES; CLARIFYING THE REGISTRATION REQUIREMENTS FOR COLLECTION AGENCIES; AND

MAKING TECHNICAL CHANGES, read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

- **H.B. 194**, CONSUMER CREDIT ISSUES, read the third time by short title and placed on its final passage.
 - **H.B. 194** then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Baca	Beck	Becker	Bennion
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Brown	Bryson	Buckner
Buffmire	Bush	Buttars	Carlson
Chard	D. Cox	G. Cox	Curtis
Dayton	Dillree	Duckworth	Ferry
Fife	Frandsen	Garn	Gladwell
Goodfellow	Gowans	Hansen	Harper
Hatch	Hendrickson	Hickman	Hogue
Holdaway	Holladay	Iverson	B. Johnson
K. Johnson	King	Koehn	Lockhart
Morgan	Murray	Olsen	Pace
Rowan	Saunders	Seitz	Shurtliff
Siddoway	G. Snow	M. Snow	N. Stephens
Styler	Swallow	Tanner	Throckmorton
Tyler	Walsh	Way	Wright
M. Stephens			

Absent or not voting were: Representatives

Alexander Jones Nelson Short Ure Zolman

H.B. 194 transmitted to the Senate for its consideration.

H.B. 222, REVISED CORPORATION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

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H.B. 222 then passed on the following roll call:

Yeas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmation	ive were: I	Representatives
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Alexander	S. Allen	Anderson
Baca	Beck	Becker
Bigelow	Biskupski	Bourdeaux
Bradshaw	Bryson	Buckner
Bush	Buttars	Carlson
D. Cox	G. Cox	Curtis
Ferry	Fife	Frandsen
Goodfellow	Gowans	Hansen
Hatch	Hendrickson	Holdaway
B. Johnson	K. Johnson	King
Lockhart	Morgan	Murray
Pace	Rowan	Seitz
Siddoway	G. Snow	M. Snow
Styler	Swallow	Tanner
Tyler	Walsh	Way
-		-
	Baca Bigelow Bradshaw Bush D. Cox Ferry Goodfellow Hatch B. Johnson Lockhart Pace Siddoway Styler	Baca Beck Bigelow Biskupski Bradshaw Bryson Bush Buttars D. Cox G. Cox Ferry Fife Goodfellow Gowans Hatch Hendrickson B. Johnson K. Johnson Lockhart Morgan Pace Rowan Siddoway G. Snow Styler Swallow

Absent or not voting were: Representatives

Brown	Dayton	Dillree	Garn
Hickman	Hogue	Iverson	Jones
Nelson	Saunders	Short	Ure
Zolman	M. Stephens		

H.B. 222 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Bradshaw, the House voted to uncircle **H.B. 42.**

- H.B. 42, TRADE AND BUSINESS NAME AMENDMENTS, was before the House on its final passage.
 - **H.B. 42** then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Baca	Beck	Becker
Bennion	Biskupski	Bourdeaux	Bowman
Bradshaw	Brown	Bryson	Buckner

Buffmire	Bush	Buttars	Carlson
Chard	D. Cox	Curtis	Dayton
Dillree	Duckworth	Ferry	Fife
Frandsen	Garn	Gowans	Hansen
Harper	Hickman	Holdaway	Holladay
Iverson	B. Johnson	K. Johnson	Jones
King	Lockhart	Morgan	Murray
Olsen	Pace	Rowan	Saunders
Seitz	Short	Shurtliff	Siddoway
G. Snow	M. Snow	N. Stephens	Styler
Swallow	Tanner	Throckmorton	Tyler
Walsh	Way	Wright	M. Stephens

Absent or not voting were: Representatives

Bigelow	G. Cox	Gladwell	Goodfellow
Hatch	Hendrickson	Hogue	Koehn
Nelson	Ure	Zolman	

H.B. 42 transmitted to the Senate for its consideration.

COMMITTEE OF THE WHOLE

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Gay Taylor, Legal Counsel for the Legislature.

On motion of Representative Garn, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

H.B. 16, COLLEGIATE LICENSE PLATES, read the third time by short title and placed on its final passage.

On motion of Representative Bradshaw, the bill was amended as follows:

- Page 4, Line 111:
 Reinstate "and present the original contribution verification form" and insert "or make a contribution"
- 2. Page 4, Line 112: Reinstate "to the division at the time of application"
- 3. Pages 4–5, Lines 113–124: Reinstate all of lines 113 through 124

4. Page 5, Line 125:
Delete "This" and insert "If the contribution is made at the time of application, the"

H.B. 16 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in	the affirmative were	: Representatives
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Adair	S. Allen	Anderson	Arent
Baca	Beck	Becker	Bennion
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Brown	Bryson	Buckner
Buffmire	Bush	Buttars	Carlson
Chard	D. Cox	G. Cox	Curtis
Dayton	Dillree	Duckworth	Ferry
Fife	Frandsen	Garn	Gladwell
Goodfellow	Gowans	Hansen	Harper
Hatch	Hickman	Hogue	Holdaway
Holladay	Iverson	B. Johnson	K. Johnson
Jones	King	Koehn	Lockhart
Morgan	Murray	Olsen	Pace
Rowan	Saunders	Seitz	Short
Shurtliff	Siddoway	G. Snow	M. Snow
N. Stephens	Styler	Swallow	Tanner
Throckmorton	Tyler	Ure	Walsh
Way	Wright	M. Stephens	

Absent or not voting were: Representatives

Alexander Hendrickson Nelson Zolman

H.B. 16 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Bennion, the House voted to uncircle **H.B. 187.**

H.B. 187, IDENTIFICATION NUMBER FRAUD, was before the House on its final passage.

On motion of Representative Bennion, the bill was amended as follows:

1. Page 1, Line 11: Delete "13–30–1" and insert "13–32–101".

- 2. Page 1, Line 14: Delete "13–30–1" and insert "13–32–101".
- 3. Page 1, Line 15:Delete "13-30-1" and insert "13-32-101".
- 4. Page 1, Line 16: Delete "(1)".
- 5. Page 2, Lines 28–29: Delete lines 28 and 29.
- 6. Page 2, Line 35:
 After "person," insert "without authorization and"
- 7. Page 1, Line 22:
 Delete line 22 and renumber the following subsections accordingly.
- 8. Page 1, Line 26:
 After "other" delete "number" and insert "numbers".
- 9. Page 1, Line 27:
 After "resources" insert "except for numbers or information that cana
 be prosecuted as financial transaction card offenses under Sections
 76-6-506 through 76-6-506.4".

On motion of Representative Hogue, the bill was amended as follows:

- 10. Page 2, Line 39:
 After "\$5,000" insert "in the aggregate"
- **H.B. 187** then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Baca	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bradshaw	Brown	Bryson	Buckner
Buffmire	Bush	Buttars	Carlson
Chard	D. Cox	G. Cox	Dayton
Dillree	Duckworth	Ferry	Fife
Frandsen	Garn	Gladwell	Goodfellow
Gowans	Hansen	Harper	Hatch

Hendrickson Hickman Hogue Holdaway Iverson B. Johnson Holladay K. Johnson Jones Koehn Lockhart Morgan Murray Nelson Pace Rowan Shurtliff Saunders Seitz Short Siddoway M. Snow N. Stephens Styler Ure Tanner Throckmorton Tyler

Walsh Way Wright M. Stephens

Absent or not voting were: Representatives

Bowman Curtis King Olsen

G. Snow Swallow Zolman

H.B. 187 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 22, 1999

The Rules Committee has ordered the following house bills and resolutions printed and recommends the following bills and resolutions be assigned to standing committees:

EDUCATION

H.B. 7 Center for the School of the Future (L. Frandsen)
H.B. 34 Applied Technology Education Amendments (A. Tyler)
H.B. 49 Surveys in Public Schools (D. Hogue)

H.B. 232 Public Education Foundation Amendments (S. Allen)

HEALTH AND HUMAN SERVICES

H.B. 204 Smoke Free Airports (J. Tanner)

JUDICIARY

H.B. 40 Criminal Nonsupport Amendments (K. Morgan)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 23 Department of Corrections Compensation Adjustment

(G. Cox)

H.B. 237 Department of Public Safety Fee Consolidation

(B. Chard)

POLITICAL SUBDIVISIONS

H.B. 238 Appropriations for Land Use Plans (D. Iverson)

REVENUE AND TAXATION

H.B. 57 Revenues for the State School Fund (D. Iverson)

TRANSPORTATION

H.B. 228 Motor Vehicle Insurance on Certain Vehicles (G. Way)

Susan J. Koehn, Chair

Report filed. On motion of Representative Koehn, the report of the Rules Committee was adopted.

THIRD READING CALENDAR

- **H.B. 24**, B AND C FUND DISTRIBUTION, read the third time by short title and placed on its final passage.
 - **H.B. 24** then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Baca	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Brown	Bryson
Buckner	Bush	Buttars	Carlson
Chard	D. Cox	G. Cox	Dayton
Dillree	Duckworth	Ferry	Fife
Frandsen	Garn	Gladwell	Goodfellow
Gowans	Hansen	Harper	Hatch
Hendrickson	Hickman	Hogue	Holdaway
Holladay	Iverson	B. Johnson	K. Johnson
Jones	King	Koehn	Lockhart
Morgan	Murray	Nelson	Pace
Rowan	Saunders	Seitz	Short
Shurtliff	Siddoway	M. Snow	N. Stephens
Styler	Tanner	Throckmorton	Tyler
Ure	Walsh	Way	Wright
M. Stephens			

Absent or not voting were: Representatives

Buffmire Curtis Olsen G. Snow

Swallow Zolman

H.B. 24 transmitted to the Senate for its consideration.

* *

- **H.B. 36**, DRIVER LICENSE IDENTIFICATION, read the third time by short title and placed on its final passage.
 - **H.B. 36** then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Baca	Beck	Becker
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Brown	Bryson	Buckner
Buffmire	Bush	Buttars	Carlson
Chard	D. Cox	G. Cox	Dayton
Dillree	Duckworth	Ferry	Fife
Frandsen	Garn	Gladwell	Goodfellow
Gowans	Hansen	Harper	Hatch
Hendrickson	Hogue	Holdaway	Holladay
Iverson	B. Johnson	K. Johnson	Jones
King	Koehn	Lockhart	Morgan
Murray	Nelson	Olsen	Pace
Rowan	Saunders	Seitz	Short
Shurtliff	Siddoway	M. Snow	N. Stephens
Styler	Tanner	Throckmorton	Tyler
Ure	Walsh	Way	Wright

Absent or not voting were: Representatives

Bennion	Curtis	Hickman	G. Snow
Swallow	Zolman	M. Stephens	

H.B. 36 transmitted to the Senate for its consideration.

* * *

- ${f H.B.~45}$, SCHOOL BUS SAFETY, read the third time by short title and placed on its final passage.
 - **H.B. 45** then passed on the following roll call:

Yeas, 65; Nays, 2; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Adair	Alexander	S. Allen	Anderson
Arent	Beck	Becker	Bennion
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Bryson	Buckner	Buffmire
Bush	Buttars	Carlson	Chard
D. Cox	G. Cox	Dayton	Dillree
Duckworth	Ferry	Fife	Frandsen
Garn	Gladwell	Goodfellow	Gowans
Hansen	Hendrickson	Hickman	Hogue
Holdaway	Holladay	Iverson	B. Johnson
K. Johnson	Jones	King	Koehn
Lockhart	Morgan	Murray	Nelson
Olsen	Pace	Rowan	Saunders
Seitz	Short	Shurtliff	Siddoway
M. Snow	Tanner	Throckmorton	Tyler
Ure	Walsh	Way	Wright
M. Stephens			

Voting in the negative were: Representatives

Harper N. Stephens

Absent or not voting were: Representatives

Baca Brown Curtis Hatch
G. Snow Styler Swallow Zolman

H.B. 45 transmitted to the Senate for its consideration.

* * *

H.B. 205, SCHOOL BUS TRAFFIC SAFETY REQUIREMENTS, read the third time by short title and placed on its final passage.

H.B. 205 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Beck	Becker	Bennion	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Bryson	Buckner	Buffmire	Bush
Buttars	Carlson	Chard	D. Cox

G. Cox Dayton Dillree Duckworth Ferry Fife Garn Frandsen Gladwell Goodfellow Gowans Hansen Hickman Harper Hatch Hendrickson Hogue Holladay **Iverson** Holdaway B. Johnson K. Johnson Jones King Morgan Murray Koehn Lockhart Nelson Olsen Pace Rowan Saunders Seitz Short Shurtliff Siddoway M. Snow N. Stephens Styler Tanner Ure Throckmorton Tyler Walsh Way M. Stephens

Absent or not voting were: Representatives

Alexander Baca Brown Curtis
G. Snow Swallow Wright Zolman

H.B. 205 transmitted to the Senate for its consideration.

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- **H.B. 6**, EDUCATOR PROFESSIONAL DEVELOPMENT REQUIREMENTS, read the third time by short title and placed on its final passage.
 - **H.B. 6** then passed on the following roll call:

Yeas, 59; Nays, 10; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Beck	Becker	Bennion	Bigelow
Biskupski	Bourdeaux	Bowman	Bradshaw
Brown	Bryson	Buckner	Buffmire
Bush	Buttars	Carlson	Chard
D. Cox	G. Cox	Dillree	Duckworth
Ferry	Fife	Frandsen	Garn
Gladwell	Goodfellow	Gowans	Hansen
Harper	Hendrickson	Hickman	Hogue
Holdaway	Holladay	Iverson	K. Johnson
Jones	King	Koehn	Lockhart
Morgan	Murray	Nelson	Pace

Saunders Seitz Short Shurtliff
Siddoway M. Snow Tanner Throckmorton
Tyler Ure Way

Voting in the negative were: Representatives

Alexander Dayton Hatch B. Johnson Olsen Rowan N. Stephens Styler

Walsh M. Stephens

Absent or not voting were: Representatives

Baca Curtis G. Snow Swallow

Wright Zolman

H.B. 6 transmitted to the Senate for its consideration.

* * *

H.B. 20, ADOPTION PRESENTATIONS IN THE PUBLIC SCHOOLS, read the third time by short title and placed on its final passage.

H.B. 20 then passed on the following roll call:

Yeas, 43; Nays, 23; Absent or not voting, 9.

Voting in the affirmative were: Representatives

S. Allen Adair Anderson Arent Beck Becker **Bigelow** Biskupski Bourdeaux Bowman Bradshaw Buckner D. Cox Buffmire Carlson Chard G. Cox Dillree Duckworth Ferry Goodfellow Fife Frandsen Gladwell Gowans Hansen Hendrickson Hogue Holdaway Holladay K. Johnson Jones King Lockhart Morgan Murray Nelson Seitz Short Shurtliff Siddoway Tanner Tyler

Voting in the negative were: Representatives

Alexander	Bryson	Bush	Buttars
Dayton	Garn	Harper	Hatch
Hickman	Iverson	B. Johnson	Koehn
Olsen	Pace	Rowan	Saunders
G. Snow	N. Stephens	Styler	Throckmorton
Ure	Walsh	Way	

Absent or not voting were: Representatives

Baca Bennion Brown Curtis
M. Snow Swallow Wright Zolman

M. Stephens

H.B. 20 transmitted to the Senate for its consideration.

* * *

H.B. 190, MEDICAID CHOICE CERTIFICATE, read the third time by short title and placed on its final passage.

On motion of Representative Short, the bill was amended as follows:

1. Page 2, Line 36:
After "available" insert ", within appropriations,"

H.B. 190 then passed on the following roll call:

Yeas, 52; Nays, 17; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Adair	S. Allen	Anderson	Arent
Beck	Becker	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Buckner
Buffmire	Bush	Buttars	Carlson
D. Cox	G. Cox	Dayton	Dillree
Duckworth	Fife	Frandsen	Gladwell
Goodfellow	Gowans	Hansen	Hatch
Hendrickson	Holdaway	Holladay	Iverson
B. Johnson	K. Johnson	Jones	King
Lockhart	Morgan	Murray	Olsen
Pace	Rowan	Saunders	Seitz
Shurtliff	Siddoway	M. Snow	Styler
Tanner	Tyler	Ure	Walsh

Voting in the negative were: Representatives

Alexander	Bennion	Bryson	Chard
Ferry	Garn	Harper	Hickman
Hogue	Koehn	Nelson	G. Snow
N. Stephens	Throckmorton	Way	Wright
M. Stephens		v	O

Absent or not voting were: Representatives

Baca Brown Curtis Short Swallow Zolman **H.B. 190** transmitted to the Senate for its consideration.

* * *

H.B. 22, AGGRESSIVE DRIVING LAW, read the third time by short title and placed on its final passage.

On motion of Representative Hendrickson, the bill was amended as follows:

1. Page 1, Line 25:
After "court" delete "shall" and insert "may"

H.B. 22 then failed to pass on the following roll call:

Yeas, 35; Nays, 37; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Adair	Arent	Beck	Becker
Bennion	Bigelow	Biskupski	Bourdeaux
Bowman	Bradshaw	Buckner	Buffmire
Bush	Chard	G. Cox	Dillree
Duckworth	Gladwell	Hendrickson	Hogue
Holdaway	Holladay	Jones	King
Murray	Nelson	Pace	Rowan
Saunders	Seitz	Short	Siddoway
G. Snow	N. Stephens	Tanner	

Voting in the negative were: Representatives

Alexander	S. Allen	Anderson	Brown
Bryson	Buttars	D. Cox	Curtis
Dayton	Ferry	Fife	Frandsen
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hickman	Iverson
B. Johnson	K. Johnson	Koehn	Lockhart
Morgan	Olsen	Shurtliff	M. Snow
Styler	Swallow	Throckmorton	Tyler
Ure	Walsh	Way	Wright
M Ctophone		•	

M. Stephens

Absent or not voting were: Representatives

Baca Carlson Zolman

H.B. 22 was filed.

Friday, January 22, 1999

Day 5

MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to adjourn until January 25, 1999, at 10:00 a.m.

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	H.B. 194	CONSUMER CREDIT ISSUES (W. Harper) 37 Read for the first time and referred to the Rules Committee 48 Assigned to standing committee 78 Read the second time 132 Transmitted to the Senate 132
1	Н.В. 195	DRIVER TRAINING PERMITS (M. Dillree) Read for the first time and referred to the Rules Committee
	Н.В. 196	REGULATION ON HUNTING COUGAR OR BEAR (M. Styler) Read for the first time and referred to the Rules Committee
		CEDAR MOUNTAIN INITIATIVE APPROPRIATION (T. Hatch) Read for the first time and referred to the Rules Committee
		APPROPRIATION FOR CENTENNIAL TRAILS PROGRAM (A. Tyler) 38 Read for the first time and referred to the Rules Committee 50 Assigned to standing committee 50 Read the second time 128
		ENFORCEMENT AUTHORITY FOR DRUG LAB AND PRECURSOR ACTS (A. Tyler) Read for the first time and referred to the Rules Committee
,	H.B. 200	WATER COMMISSIONER AMENDMENTS (M. Styler) Read for the first time and referred to the Rules Committee
ı	H.B. 201	MOTOR VEHICLE DEALER FILINGS (W. Harper) Read for the first time and referred to the Rules Committee
1	H.B. 202	USE OF OLYMPIC LICENSE PLATES (<i>J. Tanner</i>) Read for the first time and referred to the Rules Committee
ı	Н.В. 203	OPERATION AND MAINTENANCE COSTS SET ASIDE FOR STATE BUILDINGS (G. Adair) Read for the first time and referred to the Rules Committee
	H.B. 204	SMOKE FREE AIRPORTS (<i>J. Tanner</i>) Read for the first time and referred to the Rules Committee
	H.B. 205	SCHOOL BUS TRAFFIC SAFETY REQUIREMENTS (D. Ure) 40 Read for the first time and referred to the Rules Committee 48 Assigned to standing committee 79 Read the second time 140 Transmitted to the Senate 141
	H.B. 206	CREATING OR CONSOLIDATING COUNTIES (L. Frandsen) Read for the first time and referred to the Rules Committee
ı	H.B. 207	RIVERWAY ENHANCEMENT ADVISORY COUNCIL APPOINTMENTS (J. Tanner) Read for the first time and referred to the Rules Committee50 Assigned to standing committee50 Read the second time128
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	H.B. 209	TASK FORCE ON SCHOOL DISTRICT SIZE (D. Cox) Read for the first time and referred to the Rules Committee
1	Н.В. 210	FALSE STATEMENTS AT PRELIMINARY EXAMINATIONS (A. Tyler) Read for the first time and referred to the Rules Committee

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H.B.	212	FUNDING DEPARTMENT OF NATURAL RESOURCES PRIVATE PROPERTY OMBUDSMAN (E. Olsen) Read for the first time and referred to the Rules Committee	1
H.B.	213	APPROPRIATION FOR ENGLISH AS SECOND LANGUAGE PROGRAM (T. Rowan) Read for the first time and referred to the Rules Committee	3.
H.B.	214	WAGE CLAIM AMENDMENTS (G. Adair) Read for the first time and referred to the Rules Committee	3. D.
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н.в.	217	DISORDERLY CONDUCT AMENDMENTS (A. Bradshaw) Read for the first time and referred to the Rules Committee	Ι.
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		MOTOR VEHICLE INSURANCE ON CERTAIN VEHICLES (G. Way) Read for the first time and referred to the Rules Committee	5
		STATE OLYMPIC COORDINATION AMENDMENTS (J. Tanner) Read for the first time and referred to the Rules Committee	L. Э.
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S.B. 70 COMPUTERS FOR PUBLIC SCHOOLS AMENDMENTS (H. Stephenson) Read the first time by short title and referred to Rules Committee
S.B. 71 OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE (<i>L. Mansell</i>) Read the first time by short title and referred to Rules Committee
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